

REMARKS

Claims 1-7 are pending. By this Amendment, claim 1 is amended.

Applicant acknowledges that the Office Action indicates that claim 7 includes allowable subject matter.

Reconsideration of the rejections set forth in the December 27 Office Action based on the following remarks is respectfully requested.

I. The Claims Satisfy the Requirements of 35 U.S.C. § 112, Second Paragraph

The Office Action rejects claim 1-3 under 35 U.S.C. § 112, second paragraph as being indefinite. Claim 1 is amended to obviate the rejection. Withdrawal of the rejection under 35 U.S.C. § 112, second paragraph is respectfully requested.

II. The Claims Define Patentable Subject Matter

The Office Action rejects claims 4-6 under 35 U.S.C. § 102(e) over Galley et al. (U.S. Patent Application Publication No. 2004/0066328). This rejection is respectfully traversed.

Referring to Claim 4, Galley does not disclose or even suggest a computer system having a routing guide, where the routing guide has a plurality of way points, each of the way points defined by an expected latitude, an expected longitude, and a unique time at which the cargo is expected at the way point. Galley also does not disclose or suggest comparing the location data received from the electronic seal to the routing guide to determine the condition of the cargo during shipment.

Instead, Galley discloses a much simpler system that merely tracks the location of the cargo using a satellite system without comparing the location of the cargo to an expected location. See, for example, paragraph [0068] of Galley. Thus, Galley is not capable of warning the user of the system when the cargo deviates from an expected route, and in fact does not suggest any type of warning system other than having the capability of sending a signal when the locking device is broken or tampered with.

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For at least the above reasons, it is respectfully submitted that claims 4-6 are patentable over Galley. The Office Action does not reject claims 1-3 over prior art, and thus Applicant assumes that these claims as amended to overcome the rejection under 35 U.S.C. § 112 are also now in condition for allowance.

In light of the foregoing remarks, Applicant respectfully requests that a timely Notice of Allowance with respect to all of the pending claims be issued in this case.

Authorization is given hereby to charge any deficiency or credit any overpayments to Deposit Account No. 01-1785.

Respectfully submitted,

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